

Appl. No. 10/052,949
Reply to Office Action of June 18, 2003

REMARKS

This Amendment is submitted in response to the Office Action mailed on June 18, 2003. The Office Action rejects Claims 1, 3-8, 10-14, 16-21, 23-26, 28-30 and 32 under 35 U.S.C. § 112, Claims 1-7, 14-19, 21-23, 25 and 27-28 under 35 U.S.C. § 102(b) as well as Claims 1-32 under the judicially-created doctrine of obviousness-type double patenting in view of two pending patent applications.

In response, Applicants submit herewith a terminal disclaimer with respect to the two pending patent applications. Therefore, the double patenting rejection has been overcome.

Applicants have cancelled Claims 1-7 and 14-28, the only claims that have been rejected based on prior art. In this regard, Applicants note that the Patent Office has stated that Claims 8-13, 20, 24 and 26 are free of prior art. Applicants wish to note that the Patent Office has erroneously referenced Claims 8, 20, 24 and 26, these claims were rewritten in independent form in Applicants' last response and now are presented as Claims 29, 30 and 32. Although it does not appear that the Patent Office considered these claims, Applicants believe that these claims are allowable in view of the Patent Office's statement in the previous Office Action as well as this Office Action that the original claims from which they were put in independent form were allowable.

As noted above, Applicants have canceled Claims 1-7 and 14-28 without prejudice or disclaimer. Accordingly, Applicants believe that only allowable subject matter is pending in this application, i.e., Claims 9-13 and 29-32. Applicants also note, for the record, that to the extent necessary, they have amended the relevant claims to eliminate 35 U.S.C. § 112 rejections.

Accordingly, Applicants respectfully submit that this Amendment After Final should be entered as it places the above-identified patent application in a condition for allowance. To the extent the Patent Office believes that this Amendment does not place the application in a condition for allowance, Applicants respectfully request that the Patent Office contact Applicants' undersigned attorney.

Respectfully submitted,

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Dated: September 9, 2003